

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**(Only for new nonprovisional applications  
under 37 CFR 1.53(b))

Attorney Docket No.

9188R&amp;

First Inventor

Chen et al.

Assignee

The Procter & Gamble Company and  
Alimentary Health Ltd.

Title

Methods Of Determining Efficacy Of  
Treatments Of Diseases Of The Bowel

Express Mail Label No.

EV249878620US

**APPLICATION ELEMENTS**

See MPEP Chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-14501. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)2. ☒ Specification Total Pages [27]  
(preferred arrangement set forth below)

- Descriptive Title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R&D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

3. ☒ Drawing(s) (35 USC §113) Total Sheets [4]

4. Oath or Declaration Total pages [9]

- a. ☒ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR §1.63(d))  
(for continuation/divisional with Box 17 complete)
- i. ☐ **DELETION OF INVENTORS**  
Signed statement attached deleting inventor(s)  
named in the prior application,  
see 37 CFR §§1.63(d)(2) and 1.33(b).

5. ☒ Application Data Sheet. See 37 CFR §1.766. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)7. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
  - ii. ☐ Paper

c. ☐ Statement verifying identity of above copies**ACCOMPANYING APPLICATION PARTS**8. ☐ Assignment Papers (cover sheet & document(s))9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)10. ☐ English Translation Document (if applicable)11. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449/SB08 Citations12. ☐ Preliminary Amendment13. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)14. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)15. ☐ Nonpublication Request under 35 U.S.C.  
122(b)(2)(B)(i). Applicant must attach form  
PTO/SB/35 or its equivalent.16. ☐ Other: .....17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR §1.76:☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP)of prior application No. 10/404512

Prior application information:

Examiner: \_\_\_\_\_

Art Unit: 1616

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**☒ Customer Number

(Insert Customer No. here)

27752

Name (Print/Type)

Kelly L. McDow-Dunham

Registration No. (Attorney/Agent)

43,787

Signature

*Kelly L. McDow-Dunham*

Date

March 26, 2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

032604  
13146 U.S. PTO22859 U.S. PTO  
10/810358

032604



<b>FEE TRANSMITTAL</b> <b>for FY 2004</b> Patent fees are subject to annual revision.	<b>Complete if Known</b>	
	Application Number	
	Confirmation Number	
	Filing Date	March 26, 2004
	First Named Inventor	Chen et al.
	Examiner Name	
	Art Unit	
<b>TOTAL AMOUNT OF PAYMENT (\$1252)</b>	Attorney Docket No.	9188R&

<b>METHOD OF PAYMENT</b>		<b>FEE CALCULATION (continued)</b>																																																																																																																													
1. <input checked="" type="checkbox"/> The Director is hereby authorized to charge indicated fees submitted on this form, credit any over payments, and charge any additional fee(s) during the pendency of this application to:  Deposit Account Number: <b>16-2480</b> Deposit Account Name: <b>The Procter &amp; Gamble Company</b>		3. <b>ADDITIONAL FEES</b>  <table border="1"> <thead> <tr> <th>Code</th> <th>(\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>Surcharge-late filing fee or oath</td><td><input type="checkbox"/></td></tr> <tr><td>1052</td><td>50</td><td>Surcharge-late provisional filing fee or cover sheet</td><td><input type="checkbox"/></td></tr> <tr><td>1053</td><td>130</td><td>Non-English specification</td><td><input type="checkbox"/></td></tr> <tr><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td><input type="checkbox"/></td></tr> <tr><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner's action</td><td><input type="checkbox"/></td></tr> <tr><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner's action</td><td><input type="checkbox"/></td></tr> <tr><td>1251</td><td>110</td><td>Extension for reply within 1<sup>st</sup> month</td><td><input type="checkbox"/></td></tr> <tr><td>1252</td><td>420</td><td>Extension for reply within 2<sup>nd</sup> month</td><td><input type="checkbox"/></td></tr> <tr><td>1253</td><td>950</td><td>Extension for reply within 3<sup>rd</sup> month</td><td><input type="checkbox"/></td></tr> <tr><td>1254</td><td>1,480</td><td>Extension for reply within 4<sup>th</sup> month</td><td><input type="checkbox"/></td></tr> <tr><td>1255</td><td>2,010</td><td>Extension for reply within 5<sup>th</sup> month</td><td><input type="checkbox"/></td></tr> <tr><td>1401</td><td>330</td><td>Notice of Appeal</td><td><input type="checkbox"/></td></tr> <tr><td>1402</td><td>330</td><td>Filing a brief in support of an appeal</td><td><input type="checkbox"/></td></tr> <tr><td>1403</td><td>290</td><td>Request for oral hearing</td><td><input type="checkbox"/></td></tr> <tr><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td><input type="checkbox"/></td></tr> <tr><td>1452</td><td>110</td><td>Petition to revive - unavoidable</td><td><input type="checkbox"/></td></tr> <tr><td>1453</td><td>1,330</td><td>Petition to revive - unintentional</td><td><input type="checkbox"/></td></tr> <tr><td>1501</td><td>1,330</td><td>Utility issue fee (or reissue)</td><td><input type="checkbox"/></td></tr> <tr><td>1502</td><td>480</td><td>Design issue fee</td><td><input type="checkbox"/></td></tr> <tr><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td><input type="checkbox"/></td></tr> <tr><td>1807</td><td>50</td><td>Processing fee under 37 C.F.R. 1.17(q)</td><td><input type="checkbox"/></td></tr> <tr><td>1806</td><td>180</td><td>Submission of Information Disclosure Statement</td><td><input type="checkbox"/></td></tr> <tr><td>1809</td><td>770</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td><input type="checkbox"/></td></tr> <tr><td>1810</td><td>770</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td><input type="checkbox"/></td></tr> <tr><td>1801</td><td>770</td><td>Request for Continued Examination (RCE)</td><td><input type="checkbox"/></td></tr> <tr><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td><input type="checkbox"/></td></tr> <tr><td>1454</td><td>1330</td><td>Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)</td><td><input type="checkbox"/></td></tr> <tr><td colspan="3">Other fee (specify) _____</td><td><input type="checkbox"/></td></tr> <tr><td colspan="3">Other fee (specify) _____</td><td><input type="checkbox"/></td></tr> <tr> <td colspan="2"><b>* Reduced by Basic Filing Fee Paid</b></td> <td><b>SUBTOTAL(3)</b></td> <td><b>(\$) []</b></td> </tr> </tbody> </table>		Code	(\$)	Fee Description	Fee Paid	1051	130	Surcharge-late filing fee or oath	<input type="checkbox"/>	1052	50	Surcharge-late provisional filing fee or cover sheet	<input type="checkbox"/>	1053	130	Non-English specification	<input type="checkbox"/>	1812	2,520	For filing a request for <i>ex parte</i> reexamination	<input type="checkbox"/>	1804	920*	Requesting publication of SIR prior to Examiner's action	<input type="checkbox"/>	1805	1,840*	Requesting publication of SIR after Examiner's action	<input type="checkbox"/>	1251	110	Extension for reply within 1 <sup>st</sup> month	<input type="checkbox"/>	1252	420	Extension for reply within 2 <sup>nd</sup> month	<input type="checkbox"/>	1253	950	Extension for reply within 3 <sup>rd</sup> month	<input type="checkbox"/>	1254	1,480	Extension for reply within 4 <sup>th</sup> month	<input type="checkbox"/>	1255	2,010	Extension for reply within 5 <sup>th</sup> month	<input type="checkbox"/>	1401	330	Notice of Appeal	<input type="checkbox"/>	1402	330	Filing a brief in support of an appeal	<input type="checkbox"/>	1403	290	Request for oral hearing	<input type="checkbox"/>	1451	1,510	Petition to institute a public use proceeding	<input type="checkbox"/>	1452	110	Petition to revive - unavoidable	<input type="checkbox"/>	1453	1,330	Petition to revive - unintentional	<input type="checkbox"/>	1501	1,330	Utility issue fee (or reissue)	<input type="checkbox"/>	1502	480	Design issue fee	<input type="checkbox"/>	1460	130	Petitions to the Commissioner	<input type="checkbox"/>	1807	50	Processing fee under 37 C.F.R. 1.17(q)	<input type="checkbox"/>	1806	180	Submission of Information Disclosure Statement	<input type="checkbox"/>	1809	770	Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="checkbox"/>	1810	770	For each additional invention to be examined (37 CFR § 1.129(b))	<input type="checkbox"/>	1801	770	Request for Continued Examination (RCE)	<input type="checkbox"/>	1802	900	Request for expedited examination of a design application	<input type="checkbox"/>	1454	1330	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	<input type="checkbox"/>	Other fee (specify) _____			<input type="checkbox"/>	Other fee (specify) _____			<input type="checkbox"/>	<b>* Reduced by Basic Filing Fee Paid</b>		<b>SUBTOTAL(3)</b>	<b>(\$) []</b>
Code	(\$)	Fee Description	Fee Paid																																																																																																																												
1051	130	Surcharge-late filing fee or oath	<input type="checkbox"/>																																																																																																																												
1052	50	Surcharge-late provisional filing fee or cover sheet	<input type="checkbox"/>																																																																																																																												
1053	130	Non-English specification	<input type="checkbox"/>																																																																																																																												
1812	2,520	For filing a request for <i>ex parte</i> reexamination	<input type="checkbox"/>																																																																																																																												
1804	920*	Requesting publication of SIR prior to Examiner's action	<input type="checkbox"/>																																																																																																																												
1805	1,840*	Requesting publication of SIR after Examiner's action	<input type="checkbox"/>																																																																																																																												
1251	110	Extension for reply within 1 <sup>st</sup> month	<input type="checkbox"/>																																																																																																																												
1252	420	Extension for reply within 2 <sup>nd</sup> month	<input type="checkbox"/>																																																																																																																												
1253	950	Extension for reply within 3 <sup>rd</sup> month	<input type="checkbox"/>																																																																																																																												
1254	1,480	Extension for reply within 4 <sup>th</sup> month	<input type="checkbox"/>																																																																																																																												
1255	2,010	Extension for reply within 5 <sup>th</sup> month	<input type="checkbox"/>																																																																																																																												
1401	330	Notice of Appeal	<input type="checkbox"/>																																																																																																																												
1402	330	Filing a brief in support of an appeal	<input type="checkbox"/>																																																																																																																												
1403	290	Request for oral hearing	<input type="checkbox"/>																																																																																																																												
1451	1,510	Petition to institute a public use proceeding	<input type="checkbox"/>																																																																																																																												
1452	110	Petition to revive - unavoidable	<input type="checkbox"/>																																																																																																																												
1453	1,330	Petition to revive - unintentional	<input type="checkbox"/>																																																																																																																												
1501	1,330	Utility issue fee (or reissue)	<input type="checkbox"/>																																																																																																																												
1502	480	Design issue fee	<input type="checkbox"/>																																																																																																																												
1460	130	Petitions to the Commissioner	<input type="checkbox"/>																																																																																																																												
1807	50	Processing fee under 37 C.F.R. 1.17(q)	<input type="checkbox"/>																																																																																																																												
1806	180	Submission of Information Disclosure Statement	<input type="checkbox"/>																																																																																																																												
1809	770	Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="checkbox"/>																																																																																																																												
1810	770	For each additional invention to be examined (37 CFR § 1.129(b))	<input type="checkbox"/>																																																																																																																												
1801	770	Request for Continued Examination (RCE)	<input type="checkbox"/>																																																																																																																												
1802	900	Request for expedited examination of a design application	<input type="checkbox"/>																																																																																																																												
1454	1330	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	<input type="checkbox"/>																																																																																																																												
Other fee (specify) _____			<input type="checkbox"/>																																																																																																																												
Other fee (specify) _____			<input type="checkbox"/>																																																																																																																												
<b>* Reduced by Basic Filing Fee Paid</b>		<b>SUBTOTAL(3)</b>	<b>(\$) []</b>																																																																																																																												
<b>FEE CALCULATION</b>  1. <b>BASIC FILING FEE - Large Entity</b>  <table border="1"> <thead> <tr> <th>Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1001 770</td><td>Utility filing fee</td><td>[770]</td></tr> <tr><td>1002 340</td><td>Design filing fee</td><td>[]</td></tr> <tr><td>1004 770</td><td>Reissue filing fee</td><td>[]</td></tr> <tr><td>1005 160</td><td>Provisional filing fee</td><td>[]</td></tr> <tr><td colspan="2"><b>SUBTOTAL (1)</b></td><td><b>(\$)[770]</b></td></tr> </tbody> </table>		Code (\$)	Fee Description	Fee Paid	1001 770	Utility filing fee	[770]	1002 340	Design filing fee	[]	1004 770	Reissue filing fee	[]	1005 160	Provisional filing fee	[]	<b>SUBTOTAL (1)</b>		<b>(\$)[770]</b>	2. <b>EXTRA CLAIM FEES FOR UTILITY AND REISSUE - Large Entity</b>  <table border="1"> <thead> <tr> <th></th> <th>Extra Claims</th> <th>Fee from Below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>[45] - 20** = [25]</td> <td>x [18]</td> <td>= [396]</td> </tr> <tr> <td colspan="4">Note: already paid for 3 extra claims for application no. 10/404512</td> </tr> <tr> <td>Independent Claims</td> <td>[4] - 3** = [1]</td> <td>x [86]</td> <td>= [86]</td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td>[]</td> <td>= []</td> </tr> <tr> <td colspan="4">** or number previously paid, if greater; For Reissues, see below</td> </tr> <tr> <td colspan="4"> <table border="1"> <thead> <tr> <th>Code (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>1202 18</td><td>Claims in excess of 20</td></tr> <tr><td>1201 86</td><td>Independent claims in excess of 3</td></tr> <tr><td>1203 290</td><td>Multiple dependent claim, if not paid</td></tr> <tr><td>1204 86</td><td>**Reissue independent claims over original patent</td></tr> <tr><td>1205 18</td><td>**Reissue claims in excess of 20 &amp; over original patent</td></tr> </tbody> </table> </td> </tr> <tr> <td colspan="2"><b>SUBTOTAL (2)</b></td> <td colspan="2"><b>(\$)[482]</b></td> </tr> </tbody></table>			Extra Claims	Fee from Below	Fee Paid	Total Claims	[45] - 20** = [25]	x [18]	= [396]	Note: already paid for 3 extra claims for application no. 10/404512				Independent Claims	[4] - 3** = [1]	x [86]	= [86]	Multiple Dependent		[]	= []	** or number previously paid, if greater; For Reissues, see below				<table border="1"> <thead> <tr> <th>Code (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>1202 18</td><td>Claims in excess of 20</td></tr> <tr><td>1201 86</td><td>Independent claims in excess of 3</td></tr> <tr><td>1203 290</td><td>Multiple dependent claim, if not paid</td></tr> <tr><td>1204 86</td><td>**Reissue independent claims over original patent</td></tr> <tr><td>1205 18</td><td>**Reissue claims in excess of 20 &amp; over original patent</td></tr> </tbody> </table>				Code (\$)	Fee Description	1202 18	Claims in excess of 20	1201 86	Independent claims in excess of 3	1203 290	Multiple dependent claim, if not paid	1204 86	**Reissue independent claims over original patent	1205 18	**Reissue claims in excess of 20 & over original patent	<b>SUBTOTAL (2)</b>		<b>(\$)[482]</b>																																																															
Code (\$)	Fee Description	Fee Paid																																																																																																																													
1001 770	Utility filing fee	[770]																																																																																																																													
1002 340	Design filing fee	[]																																																																																																																													
1004 770	Reissue filing fee	[]																																																																																																																													
1005 160	Provisional filing fee	[]																																																																																																																													
<b>SUBTOTAL (1)</b>		<b>(\$)[770]</b>																																																																																																																													
	Extra Claims	Fee from Below	Fee Paid																																																																																																																												
Total Claims	[45] - 20** = [25]	x [18]	= [396]																																																																																																																												
Note: already paid for 3 extra claims for application no. 10/404512																																																																																																																															
Independent Claims	[4] - 3** = [1]	x [86]	= [86]																																																																																																																												
Multiple Dependent		[]	= []																																																																																																																												
** or number previously paid, if greater; For Reissues, see below																																																																																																																															
<table border="1"> <thead> <tr> <th>Code (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>1202 18</td><td>Claims in excess of 20</td></tr> <tr><td>1201 86</td><td>Independent claims in excess of 3</td></tr> <tr><td>1203 290</td><td>Multiple dependent claim, if not paid</td></tr> <tr><td>1204 86</td><td>**Reissue independent claims over original patent</td></tr> <tr><td>1205 18</td><td>**Reissue claims in excess of 20 &amp; over original patent</td></tr> </tbody> </table>				Code (\$)	Fee Description	1202 18	Claims in excess of 20	1201 86	Independent claims in excess of 3	1203 290	Multiple dependent claim, if not paid	1204 86	**Reissue independent claims over original patent	1205 18	**Reissue claims in excess of 20 & over original patent																																																																																																																
Code (\$)	Fee Description																																																																																																																														
1202 18	Claims in excess of 20																																																																																																																														
1201 86	Independent claims in excess of 3																																																																																																																														
1203 290	Multiple dependent claim, if not paid																																																																																																																														
1204 86	**Reissue independent claims over original patent																																																																																																																														
1205 18	**Reissue claims in excess of 20 & over original patent																																																																																																																														
<b>SUBTOTAL (2)</b>		<b>(\$)[482]</b>																																																																																																																													

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	<b>Kelly L. McDow-Dunham</b>	Registration No.	<b>43,787</b>
Signature	<i>Kelly L. McDow-Dunham</i>	(Attorney/Agent)	
		Telephone	(513) 622-0159
		Date	March 26, 2004

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.